

Attorney Docket No. 09800080-0131

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: ) Group Art Unit  
David Lewin et al. ) Examiner:  
Application No. 10/608,865 )  
Filed: June 27, 2003 )  
For: Genes Associated with Obesity and )  
Methods for Using the Same )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CORRECTED FILING RECEIPT**

Dear Sir:

Attached is a copy of the official filing receipt received from the PTO in the above-referenced patent application for which issuance of a corrected filing receipt is respectfully requested.

The error is as follows:

Applicant(s) should read "David Lewin, New Haven, CT and Timothy A. Stewart, San Francisco, CA, as evidenced by the attached copy of the Declaration and Power of Attorney filed in response to the Notice to File Missing Parts.

The correction is not due to any error by the Applicants. Thus, no fee is due.

Respectfully submitted,

Dated: 15 DEC 03

By: 

David E. Crawford, Jr., Reg. No. 38,118  
Customer No. 26263  
314.259.5810



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/608,865	06/27/2003	1645	0.00	09800081-0047C	10	16	3

26263

SONNENSCHN NATH & ROSENTHAL LLP  
P.O. BOX 061080  
WACKER DRIVE STATION, SEARS TOWER  
CHICAGO, IL 60606-1080



CONFIRMATION NO. 8197

## FILING RECEIPT



\*OC000000011035374\*

Date Mailed: 10/15/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Timothy P. Stewart, Residence Not Provided;

## Domestic Priority data as claimed by applicant

This application is a CON of 09/691,439 10/18/2000 ABN  
which is a CON of 60/160,246 10/19/1999

## Foreign Applications

If Required, Foreign Filing License Granted: 10/14/2003

Projected Publication Date: To Be Determined - pending completion of Missing Parts

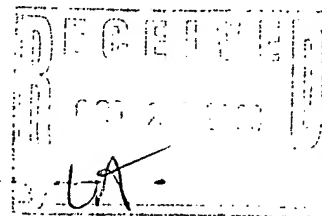
Non-Publication Request: No

Early Publication Request: No

RECEIVED 10/21/03 DOCKET  
DOCKETED DEF mp  
DIARIED 10/22/03  
BY: 10/22/03

Title

Genes associated with obesity and methods for using the same



Preliminary Class

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



Docket No. 09800080-0131

## DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am an original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### GENES ASSOCIATED WITH OBESITY AND METHODS FOR USING THE SAME

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Nos.	Country	Foreign Filing Date	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit of earlier U.S. applications as follows:

I hereby claim the benefit under 35 U.S.C. §120 of the following earlier-filed United States patent applications. Insofar as the subject matter of each of the claims of this application is not disclosed in the prior U.S. applications in the manner required by 35 U.S.C. §112, first paragraph, I acknowledge a duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which came into existence between the filing date(s) of the prior applications and the national or PCT filing date of this application.

09/691,439  
(Application Serial No.)

October 18, 2000  
(Filing Date)

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

60/160,246  
(Application Serial No.)

October 19, 1999  
(Filing Date)

#### **POWER OF ATTORNEY**

I hereby appoint the attorney(s) and agent(s) of Sonnenschein Nath & Rosenthal LLP associated with Customer Number 26263, with full power of revocation and substitution, to prosecute this application and to transact all business with the United States Patent and Trademark Office in connection therewith.

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SEND CORRESPONDENCE AND DIRECT TELEPHONE CALLS TO:

Gregory M. Zinkl, Ph.D.  
SONNENSCHN NATH & ROSENTHAL LLP  
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Wacker Drive Station, Sears Tower  
Chicago, Illinois 60606-1080  
(312) 876-8936  
Customer Number 26263

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor:

Inventor's Signature:

Date:

Country of Citizenship:

Residence and Post Office Address:

David Lewin  
12/2/03  
U.S.  
298 Lawrence Street, New Haven, CT 06511

Inventor:

Inventor's Signature:

Date:

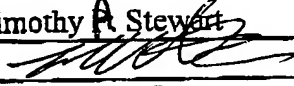
Country of Citizenship:

Residence and Post Office Address:

Timothy P. Stewart  
New Zealand  
465 Douglas Street, San Francisco, CA 94114

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor: David Lewin  
Inventor's Signature: \_\_\_\_\_  
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